

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**ORDER GRANTING REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
May 13, 2025

Name of Offender: **Eric Math**

Case Number: **3:19CR00026**

Name of Sentencing Judicial Officer: **Honorable Larry R. Hicks**

Date of Original Sentence: **November 14, 2023**

Original Offense: **Conspiracy to Possess with Intent to Distribute; Distribute Oxycodone and Hydrocodone**

Original Sentence: **37 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **Currently in Bureau of Prison Custody**

Name of Assigned Judicial Officer: **Honorable Howard J. McKibben**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

Remove the following conditions:

- 1. Drug Testing -** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. **(Mandatory Condition)**
- 2. Search and Seizure -** You shall submit to the search of your person, property, residence, or automobile under your control by the probation officer or any other authorized person under the immediate and personal supervision of the probation officer, without a search warrant to ensure compliance with all conditions of release, upon reasonable suspicion. **(Special Condition)**

RE: Eric Math

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- 3. Substance Abuse Treatment** - You must participate in an outpatient substance abuse treatment program, subject to the recommendation of the probation officer, and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program, based on your ability to pay. **(Special Condition)**

Add the following conditions:

1. **Drug Testing** - The defendant must not illegally possess a controlled substance. The defendant must refrain from any unlawful use of a controlled substance. Submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter. Testing requirements will not exceed submission of more than four (4) drug tests per month during the term of supervision, unless otherwise ordered by the court. **(Mandatory Condition)**
2. **Warrantless Search** - Submit your person, property, house, residence, vehicle, papers, [computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media,] or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The offender must warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the offender has violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner. **(Special Condition)**
3. **Substance Abuse Treatment** - Participate in a program of drug or alcohol abuse treatment, including drug testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay. **(Special Condition)**

CAUSE

Dr. Eric Math has submitted a prerelease plan to relocate to Oceanside, California. The U.S. Probation Office in the Southern District of California has requested the above-listed modifications to his conditions of supervised release. Their office has cited that the request for the modification is to comport with the substance abuse treatment, drug testing, and search conditions in this district. Additionally, the modifications include a mandatory condition for the collection of urine samples (drug tests), pursuant to U.S. v. Stephens, which is guiding caselaw in the Ninth Circuit.

Upon approval of the above-listed conditions, their office will approve the relocation to their district. Attached is a waiver of hearing form signed by the offender to modify his conditions accordingly. The offender was explained his right to a hearing and the assistance of counsel but waived those rights and agreed to the requested modification.

RE: Eric Math

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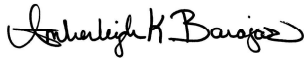
Respectfully submitted,



Digitally signed by
Kamuela Kapanui
Date: 2025.05.27
16:56:12 -07'00'

Kamuela Kapanui
United States Probation Officer

Approved:

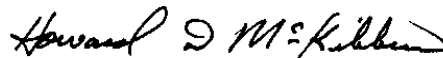


Digitally signed by
Amberleigh Barajas
Date: 2025.05.27 09:41:41
-07'00'

Amberleigh Barajas, Supervisory
United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

May 28, 2025

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Remove the following conditions:

- 1. Drug Testing** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. **(Mandatory Condition)**
- 2. Search and Seizure** - You shall submit to the search of your person, property, residence, or automobile under your control by the probation officer or any other authorized person under the immediate and personal supervision of the probation officer, without a search warrant to ensure compliance with all conditions of release, upon reasonable suspicion. **(Special Condition)**
- 3. Substance Abuse Treatment** - You must participate in an outpatient substance abuse treatment program, subject to the recommendation of the probation officer, and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program, based on your ability to pay. **(Special Condition)**

Add the following conditions:

- 1. Drug Testing** - The defendant must not illegally possess a controlled substance. The defendant must refrain from any unlawful use of a controlled substance. Submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests

thereafter. Testing requirements will not exceed submission of more than four (4) drug tests per month during the term of supervision, unless otherwise ordered by the court. **(Mandatory Condition)**

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Witness

Case Manager

Signed

Probationer or Supervised Releasee

Date